



DT17 Rec'd PCT/PTO 18 SEP 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MIKAEL SIMONS et al

Serial Number: 10/089,521

Filed: March 29, 2002

Atty. Docket No. 100564-00111

For: USE OF GANGLIOSIDES AND OTHER SUBSTANCES FOR MODULATING  
SPHINGOLIPID-CHOLESTEROL MICRODOMAINS

PCT #9  
RECEIVED  
FEB 26 2003  
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**RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE**

Commissioner of Patent  
Washington, D.C. 20231

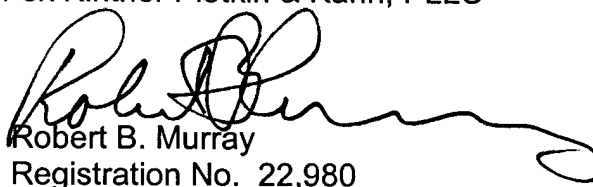
September 18, 2002

Sir:

In response to the Notification of Defective Response enclosed are copies of papers earlier filed in the above application (with fresh signatures applied). Also enclosed are copies of the PTO stamped postcards acknowledging receipt of these papers. These papers fully responded to the Notice of Missing Requirements, and the Notification of Defective Response should be withdrawn.

In the event any fees are required, please charge our Deposit Account No. 01-2300.

Respectfully submitted,  
Arent Fox Kintner Plotkin & Kahn, PLLC

  
Robert B. Murray  
Registration No. 22,980

1050 Connecticut Avenue, N.W., Suite 400  
Washington, D.C. 20036-5339  
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Page 1 of 2

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TECH CENTER 1800/2900

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/089,521	Mikael Simons	100564-00111

Robert B Murray  
Arent Fox Kintner Plotkin & Kahn  
1050 Connecticut Avenue N W  
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Washington, DC 20036-5339



INTERNATIONAL APPLICATION NO.

PCT/EP00/09588

I.A. FILING DATE PRIORITY DATE

09/29/2000

09/29/1999

CONFIRMATION NO. 7321

371 FORMALITIES LETTER



\*OC00000008729274\*

Date Mailed: 09/05/2002

**NOTIFICATION OF DEFECTIVE RESPONSE**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fee
- Priority Document
- Assignee Statement
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- English Translation of the IA
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English.
- Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 months from the priority date (37 CFR 1.492(f)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 for English translation surcharge required.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 305-3738

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/089,521	PCT/EP00/09588	100564-00111

FORM PCT/DO/EO/916 (371 Formalities Notice)

The PTO did not receive the following  
listed item(s) A check of \$130.00



FORM PTO-1390  
(REV 5-93)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.  
100564-00111

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

DATE: August 23, 2002

U.S. APPLN. NO.  
(IF KNOWN, SEE 37 C.F.R. 1.5)  
10/089,521

INTERNATIONAL APPLICATION NO.  
PCT/EP00/09588

INTERNATIONAL FILING DATE  
September 29, 2000

PRIORITY DATE CLAIMED  
September 29, 1999

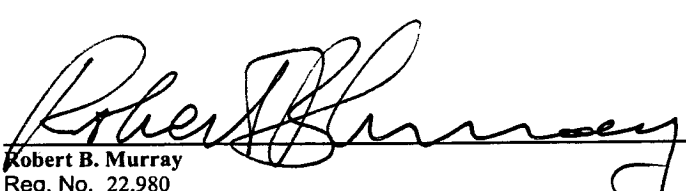
TITLE OF INVENTION: USE OF GANGLIOSIDES AND OTHER SUBSTANCES FOR MODULATING SPHINGOLIPID-CHOLESTEROL MICRODOMAINS

APPLICANT(S) FOR DO/EO/US: Mikael SIMONS, Tim FRIEDRICHSON, Kai SIMONS and Teymuras KURZCHALIA

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.  
(THE BASIC FILING FEE IS ATTACHED)
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures [35 U.S.C. 371(f)] at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper demand for International Preliminary Amendment was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English [35 U.S.C. 371(c)(2)].
7. ☐ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☐ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

Items 11 - 16 below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: PCT/IPEA/409

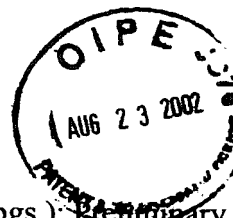
U.S. APPLICATION (IF KNOWN) SEE 37 C.F.R. 1.50) 10/089,521	INTERNATIONAL APPLICATION NO. PCT/EP00/09588	ATTORNEY DOCKET NO. 100564-00111 DATE: August 23, 2002				
17. <input checked="" type="checkbox"/> The following fees are submitted: <b>Basic National Fee [37 C.F.R. 1.492(a)(1)-(5)]:</b> Search Report has been prepared by the EPO or JPO.....\$890.00 International preliminary examination fee paid to USPTO (37 C.F.R. 1.482).....\$710.00 No international preliminary examination fee paid to USPTO (37 C.F.R. 1.482) but international search fee paid to USPTO [37 C.F.R. 1.445(a)(2)].....\$740.00 Neither international preliminary examination fee (37 C.F.R. 1.482) or international search fee [37 C.F.R. 1.445(a)(2)] paid to USPTO.....\$1,040.00 International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$ 100.00		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">CALCULATIONS</th> <th style="width: 50%;">PTO USE ONLY</th> </tr> <tr> <td colspan="2" style="height: 100px;"></td> </tr> </table>	CALCULATIONS	PTO USE ONLY		
CALCULATIONS	PTO USE ONLY					
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$				
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(e)].		\$				
Claims	Number Filed	Number Extra				
Total Claims	- 20 =	X \$ 18.00				
Independent Claims	- 3 =	X \$ 84.00				
Multiple dependent claim(s) (if applicable)		+ \$280.00				
TOTAL OF ABOVE CALCULATIONS =		\$				
Reduction by one-half for filing by small entity. The applicant is entitled to small entity status.		\$				
SUBTOTAL =		\$				
Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)].		\$ 130.00				
TOTAL NATIONAL FEE =		\$ 130.00				
Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property		\$				
TOTAL FEES ENCLOSED =		\$ 130.00				
		Amount to be refunded				
		Charged				
a. <input checked="" type="checkbox"/> A check in the amount of \$130.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 01-2300 in the amount of \$                      to cover the above fee. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-2300.						
NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive [37 C.F.R. 1.137(a) or (b)] must be filed and granted to restore the application to pending status.						
SEND ALL CORRESPONDENCE TO: Arent Fox Kintner Plotkin & Kahn 1050 Connecticut Avenue, N.W. Suite 400 Washington, D.C. 20036-5339 Tel: (202) 857-6000 Fax: (202) 638-4810 RBM/baw						
 Robert B. Murray Reg. No. 22,980						

The PTO did not receive the following  
 listed item(s) NO CHECK REC'D



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FEB 26 2003  
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Attorney Docket No. 100564-00111  
U.S. Patent Application No. 10/089,521  
Filed: March 29, 2002  
Applicants: SIMONS et al.  
Papers filed herewith on: August 23, 2002  
A Check in the amount of: \$130.00



The following papers are attached: Specs. (34 pgs.); Preliminary  
Amendment; Marked-up Claims; PCT/IPEA/409; PTO-1390

**COMMISSIONER OF PATENTS**

RBM/baw

Due Date: 08/25/02

25